

# **Bolivia Land Titling Project**

Contract No. PCE-I-820-99-0003-00 RAISE IQC Task Order N				
BLT Quarterly Progress Report:	Third Quarter 2005			

Submitted to:

U.S. Agency for International Development/Bolivia

Submitted by:

Chemonics International Inc.

October 28, 2005

This publication was made possible through support provided by the U.S. Agency for International Development, under the terms of Award No. PCE-I-820-99-00003-00 Task Order No. 820 of the Rural and Agricultural Incomes with a Sustainable Environment, (RAISE) IQC. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of the U.S. Agency for International Development.

# **CONTENTS**

Executive Sum	nmary	3
SECTION I	Background	4
SECTION II	Land Titling	5
SECTION III	Quarterly Progress Review: Stages of the Land Titling Process	7
SECTION IV	Quarterly Progress Review: Strategic Objectives	13
ANNEX A	Work Plan Progress Monitor	
ANNEX B	Map of Project Coverage as of September 30 <sup>th</sup>	

#### **BOLIVIA LAND TITLING QUARTERLY REPORT: JULY - SEPTEMBER 2005**

#### **Executive Summary**

The Bolivia Land Titling Project (BLTP) quarterly report covering the period from July 1 through September 30, 2005 is the eight quarterly report submitted to the United States Agency for International Development (USAID) under the Rural and Agricultural Incomes with a Sustainable Environment, (RAISE) IQC Task Order Contract PCE-I-820-99-0003-00.

This report provides a summary of project activities, progress and accomplishments achieved during the third quarter of 2005. The first section of this report provides a synopsis of the contract and a description of the objectives and history project. Section two provides an overview of the titling process and the latest revisions to scope of the BLTP. Section three highlights the progress made at each step in the titling process and section four provides a synopsis of BLTP's progress in relation to the project's strategic objectives. Finally, the last section provides a brief update regarding general program management and support activities related to the BLTP, including the latest financial information. The report includes two annexes: A Work Plan Progress Monitor , and B Map of Project Coverage in the region.

#### **SECTION I**

# Background

The Bolivia Land Titling Project (BLTP) contract PCE-I-820-99-0003-00, Task Order 820 under the Rural and Agricultural Incomes with a Sustainable Environment, (RAISE) IQC was signed by USAID/Bolivia and Chemonics International Inc. on November 6, 2003, with project implementation starting in December, 2003. The task order is expected to last 30 months, with an estimated completion date of May 5, 2006.

The objective of the activity is to significantly improve security of property rights and expand individual access to land markets and to the full benefits of the individual's land assets. To achieve this objective, the project is supporting the National Institute of Agrarian Reform (INRA) and the Property Registry System (DDDR) in their respective efforts to title and register properties in the Cochabamba Tropics. The project provides financial and technical assistance to INRA Cochabamba, INRA Nacional, and the Sacaba offices of the DDRR to strengthen and develop their institutional capacity to issue and register property titles.

## **SECTION II**

# Land Titling

This section provides an overview of the phases involved in the titling process, revisions to BLTP's scope of work and the current contractual targets to be achieved by the BLTP.

# A. Titling Process

The titling process is divided into two phases or stages: the first phase is known as *Saneamiento*, or ownership verification, is done on the ground and involves the property owner and neighbors. The second phase known as *Titulacion*, or Titling, is the processing of all the documentation needed to register and issue a property title.

The BLTP was designed to assist INRA and DDRR in the completion of the entire titling process (ownership verification and titling) of 5,000 properties in an area covering 100,000 hectares under INRA's plans I and II; and to assist INRA and DDRR to carry out the titling phase of an additional 25,000 property titles in an area covering 465,000 hectares under INRA's plan III, which was assigned to the European Union's PRAEDAC project for ownership verification (Saneamiento).

## **B.** Scope of Work Modifications

Early in 2004 it became evident that the reality of the titling situation in the Chapare was far different than what was originally assumed during the design of BLTP. Consequently, the original targets proposed in the BLTP contract were revisited and revised according to the actual circumstances. Two major differences exist between the original assumptions at the conception of the project and the on the ground reality. First, the target area assigned to BLTP initially contained less than the 5,000 titles target specified in the Chemonics contract. To fulfill the contract objectives, an additional 1,027 properties covering an area of 12,000 hectares were assigned to Chemonics so that the 5,000 target could be reached. This addition is known as Plan IIb. Second, PRAEDAC has not been able to deliver to INRA the ownership verification documentation of the 25,000 properties, for which it was responsible under Plan III, for further processing with Chemonics assistance.

Given the difficulties that PRAEDAC has encountered in delivering ownership verification documentation to INRA, and given the fact that INRA had considerable idle capacity, the Technical Institutional Coordinating Committee CTI composed of USAID Bolivia, INRA, Programa de Desarollo Alternativo Regional (PDAR) and the Vice Ministry of Alternative Development (VMDA) (CTI) decided to make the following adjustment to the titling plans for the Cochabamba Tropics:

• Reassigned responsibilities and geographic areas to the BLTP and PRAEDAC projects. PRAEDAC assumed full responsibility for Plan III, under which PRAEDAC is charged with verifying ownership and titling in the area originally assigned to PRAEDAC comprised of 465,000 hectares with approximately 25,000 properties. Subsequently, in

view of implementation delays and the short period of time remaining in the life of the project, PRAEDAC revised its projection of results several times, standing now at 160,000 hectares or about 8,000 titles.

• Approved the implementation of Plan IV developed by BLTP/INRA. Under Plan IV BLTP/INRA will carry out ownership verification (Saneamiento) of 1,600 properties and ownership verification and titling of an additional 1,600 properties in an area covering 50,000 hectares.

#### C. Revised BLTP Results

As a result of the above changes, the quantifiable targets to be achieved by the BLTP by May 2006 are:

- Verification of ownership (saneamiento) and titling of approximately 100,000 hectares containing 5,000 titles under Plans I and II and IIb<sup>1</sup>
- Verification of ownership and titling off 1,600 titles covering 25,000 hectares under Plan IV
- Verification of ownership of 1,600 properties in an area of 25,000 hectares, Under Plan IV.

# D. Adjustments to Numerical Targets as a Result of Ownership Verification and Titling

As ownership verification is completed, the estimated area and number of properties in each plan can be adjusted. The adjustments are a result of actual measurements of the boundaries of properties which exclude areas such a wetlands, rivers, roads, settlements, and other public places. In the original estimates, the size of the properties and thus the number of properties in a given area were based on best guesses of areas delineated in maps. In this report, new revised totals in number of hectares and properties will be introduced to reflect actual results to date.

When originally assigned to BLTP, Plans I and IIa were thought to have 5,000 properties covering some 100,000 hectares. Plan IIb was added, when actual measurements revealed that the area assigned contained some 4,000 properties. Plan IIb was added to reach the target of 5,000 properties. As the work of ownership verification and titling is completed, the final number of properties and the area they cover will change. In the past quarter, INRA has decided that in order not to delay the project activities, sub areas or communities with hard-to-solve conflicting ownership claims would be taken out of the Plans and dealt with separately because of the time and energy they require. This again will affect the total of properties titled under plans I, II and IV and the areas they cover.

Plan IV was officially added to the BLTP scope of work in July 2005. It aims to verify ownership in 25,000 hectares and to verify ownership and title in another 25,000 hectares. The number of properties is estimated to be 3,300 for all 50,000 miles.

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<sup>&</sup>lt;sup>1</sup> The initial study, underpinning the development of the BLTP Project, indicated that each property has approximately 20 hectares and therefore 5,000 properties were thought to cover 100,000 hectares of land. Plan I and II consisted of 5,043 properties and 89,602 hectares, assuming an average of 17.8 hectares per property.

#### **SECTION III**

# Quarterly Progress Review: Stages of the Land Titling Process

The following series of pie charts, divided into the seven major steps involved in the process of titling, provide a graphic comparison of the status of land titling in April 2004 with the current land titling status. The three sets of graphs below, each set containing four pie charts illustrate the progress made in each of the seven steps of the titling process and compare the percentage of hectares and properties titled in April 2004 with the percentage of hectares and properties titled as of September 2005.

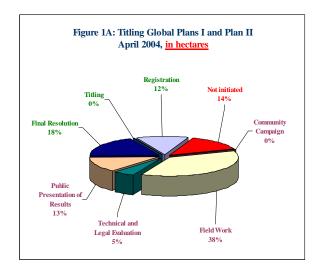
It is important to keep in mind that ownership verification is a four step process while land titling is a three step process. The four steps in the ownership verification process include: community campaigns, field work, technical and legal evaluation, and public presentation of results. The three steps in the titling process are: final resolution, titling, and registration.

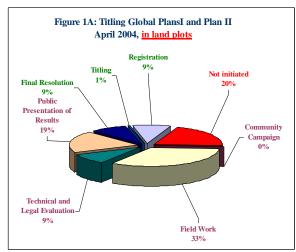
Moreover, although this report incorporates Plan IV, the BLTP only recently begun working in this plan and as such, Plan IV is not included in the first set of graphs. Progress in Plan IV is reported separately. Progress is measured by moving from step one to step seven, therefore the higher the percentages in the final steps, the closer INRA is to completing the process.

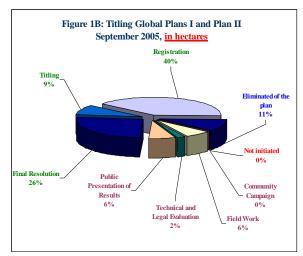
# A. Global BLTP Titling Progress - Plans I, IIa, IIb

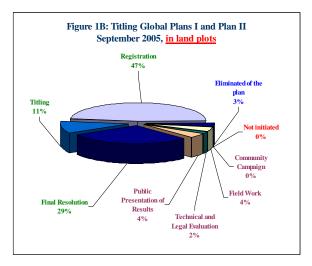
The graphs below show that, that since April 2004, the number of properties with registered titles have increased from 448 to 2,387. Thus, the BLTP has successfully titled 47 percent of the 5,000 properties included in the plans to date. The BLTP anticipates, barring unexpected events, completing the tilting phase for the majority of the remaining properties will be finalized before the end of the contract period.

Figures 1A and 1B depict the status of titling in three of the four plans assigned to BLTP (Plans I, IIa, IIb).









During this quarter, however, INRA decided that sub-areas or communities where hard-to-solve conflicting claims of ownership have either stopped work or are delaying it, would be removed from the Plans, so as not to delay the entire process. According to the law and the practice, all properties in a Poligono (Poligono is a specific sub-area where titling work is underway) must graduate from one step to the next and form one phase to the next as a group. Thus, any delays due to conflicting ownership claims can paralyze the process for all properties in the poligono until the conflict is resolved. Although INRA can often redefine the poligono to minimize the damage to properties without conflicting claim, this is not always possible Conflicting claims are often resolved through the courts and it can take years to do so.

As a result of this decision 164 properties covering an area 9,427 hectares were removed from Plan I and IIa, and II b. Table one includes detailed information regarding the areas withdrawn from the Plan during the quarter.

Table 1 Areas withdrawn from Plans I, IIa and IIb

		Name of Poligino (Syndicate,		<b>Cotal</b>	
N°	Plan	Colony, OTB, Cooperative, Property, etc.)	Hect. N° properties		Reason for elimination
3	IIA	Senda II Villa Progreso	330	31	Cancelled record due to documentation defects
32	IIA	Muñoz	39	2	Small polígono, properties did not present documentation
45	IIA	Concordia	917	27	Polígono located in protected area of Carrasco Park
59	Ι	Valle de Sajta UMSS	6,669	1	Property owners unwilling to pay price for supervision
110	IIB	La Florida	525	24	Internal conflicts amongst naighbors do not
114	IIB	Urkupiña - Villa Tunari	785	78	Internal conflicts amongst neighbors do not permit progress of work
115	IIB	Monte SINAB	162	1	permit progress or work
	Total	eliminated from Plans	9,427	164	

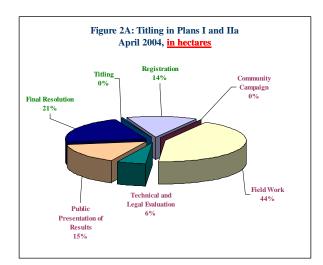
# B. Titling Plans I and Ila

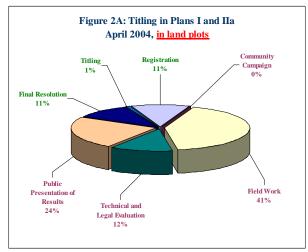
Although, BLTP had expected to conclude with the verification of ownership in Plan 1 and IIa, the documentation of many titles was found to contain errors and had to be redone. Furthermore because work in these areas begun in 2003, a number of properties had changed hands since then and needed to be re-done.

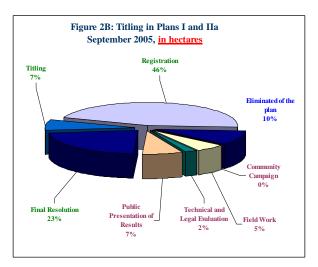
The following table summarizes the status of titling under Plans I and IIa:

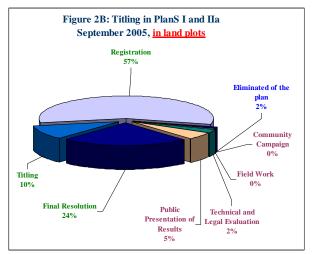
Total Plans I and IIA			
Registered	55	2.291	34.748
Withdrawn	4	61	7.955
In titling phase	29	1.667	34.412
Total	88	4.019	77.115

As of September 2005, over 57% of the 4,019 properties in Plans I and IIa had been titled and registered in Derechos Reales. An additional 36% were close to being titled, while 7% were still in the final phase of ownership verification. Fugures 2A and 2 B depict the situation of titling in April of 2004 and as of September 2005



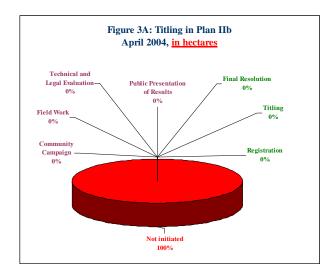


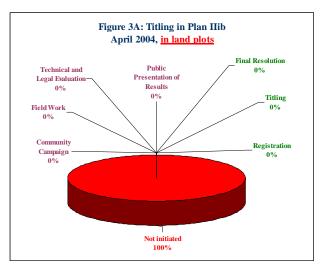


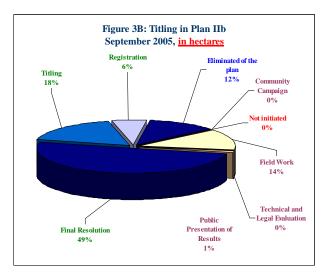


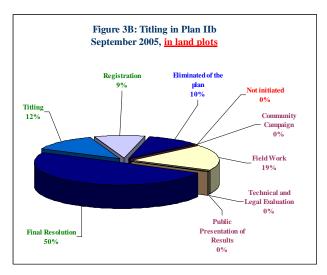
# C. Titling Plan IIb

Plan IIb was formulated so that the original BLTP/INRA's goal of 5,000 titles could be met. We started work in June of 2004 in 1,024 additional properties. BLTP/INRA used streamlined procedures to process properties under this plan, which accelerated the process, lowered costs, and cut down the time needed to process through both titling phases. By September 2005, 9% of the total had completed the process, 71% of the properties were in titling phase, 19% were in the final steps of the ownership verification phase, and 10% have been removed because they were paralyzed due to hard-to-solve conflicting ownership claims.









## D. Titling Plan III

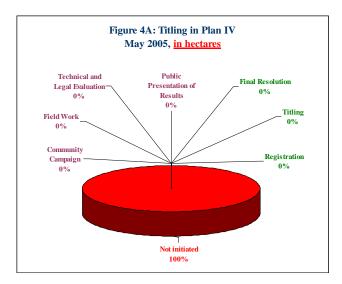
PRAEDAC assumed full responsibility for financing Plan III in late 2004. PRAEDAC contract with the BKP consortium ended in July and PRAEDAC is now financing INRA until December to continue working on Plan III. INRA estimated that at best about 900 properties would be titles and registered by December 2005. This is way short of the original goal of 25,000 properties. In terms of hectares, PRAEDAC/BKP ended working in 145,000 of the 465,000 hectares originally assigned to Plan III. Of these 145,000, only about 9,000 have completed the verification phase.

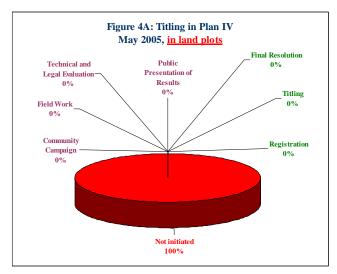
As we emphasized in previous reports, the results obtained by PRAEDAC fall far short of the original goals and even worse the expectation raised among the property owners in the region. This could become a serious problem for INRA and for the future of any titling activity in the Chapare. This is a matter that needs careful monitoring and a contingency plan by INRA and the Vice Minsitry of Alternative Development.

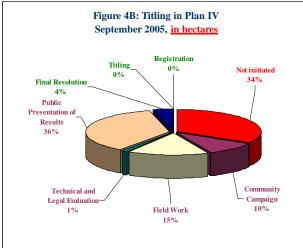
# E. Titling Plan IV

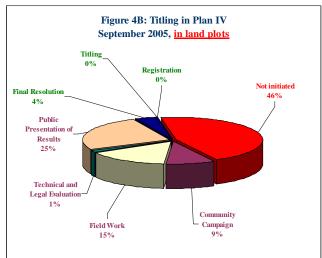
Plan IV was officially approved in July 2005. The goals of plan IV are to carry out the ownership verification and tiling of properties in a pre-designated area of 25,000 hectares and to carry out the ownership verification of properties in an additional area of 25,000 hectares. Having acquired practical experience in the streamlining of the titling process, work under Plan IV is proceeding at an unprecedented fast pace.

By the end of September, BLTP/INRA had initiated verification of ownership in 36,200 hectares or 74% of the total area. Even more remarkably, INRA had reached the public presentation of results, the last step in the verification process, for over 13,000 hectares. Work in Plan IV is clearly benefiting from the strengthened capacity developed in INRA with BLPT support and from changes in the procedures designed to accelerate the process of ownership verification.









#### **SECTION IV**

# Quarterly Progress Review: Strategic Objectives

In this section we report on the specific achievements and activities during the quarter for each of the four strategic objectives. The project has four strategic objectives: 1) Develop and Strengthen INRA's Institutional Capacity; 2) Develop and Strengthen DDRR's Institutional Capacity; 3) Develop and Implement and Outreach Dissemination Program; and 4) Develop and Strengthen the Municipalities' Capacity.

# A. Strategic Objective 1: Develop and Strengthen INRA's Institutional Capacity

In this quarter, there have been significant changes in the INRA's attitude and willingness associated with the establishment of numerical targets and towards building institutional capacity. This is especially true in the Cochabamba office under the direction of its new Director. The La Paz and Cochabamba INRA staff working directly with the BLTP seem to be adopting a results driven approach to their work. Titles are now being produced on a regular basis, rather than on an exceptional basis.

# A.1 Instituto Nacional de Reforma Agraria (INRA)

A change in INRA's leadership, with the naming of new national and departmental directors, occurred during the quarter. Mr. Roberto Torrez replaced Alcides Vadillo as INRA's Nacional Director and Mr. Mauricio Zabalaga replaced Luis Arratia as the Cochabamba Departamental

Fortunately for BLTP, Mr. Torrez seems to support the work BLPT is doing with the institution and re-affirmed the emphasis BLTP places on results; something that the INRA La Paz staff had resisted in the past. He has also made it possible to deliver the signature machine, used to expedite the title signing process, to the office of the president. The use of the machine should eliminate one of the most intractable bottle necks; the insistence that the president sign every title manually.

## A.1.1 INRA Cochabamba

As mentioned before, Mr. Mauricio Zabalaga assumed the position of Cochabamba Departmental Director. Under his leadership, INRA Cochabamba is working very productively. Mr. Zabalaga has successfully eliminated numerous bottle necks which previously stifled the productivity of INRA staff. This change has provided the flexibility needed for increased synergy and improved effectiveness of staff working with BLTP. Under Mr. Zabalaga's leadership, INRA implemented Decreto Supremo 28148 which establishes a streamlined procedure for ownership verification and titling. This, in turn, has made it possible to implement Plan IV at an unprecedented pace.

Another salient accomplishment of this past quarter was the successful transfer of title information from the antiquated Instituto de Colonizacion to the modern and automated Ownership and Tiling System (SYST). Having the data stored in an electronic format results in improved information management and prompt access to information. The availability of

reliable and accessible information will undoubtedly improve institutional capacity by providing INRA staff with the tools for increased responsive and better overall delivery of services. After a year long waiting period, INRA will now have the opportunity to reap the benefits associated with having access to automated information, like the potential for increased public credibility in the institution's ability to efficiently manage the titling efforts. While the previous INRA La Paz and Cochabamba directors opposed transition to an electronic filing system insisting that the work be done manually, the current directors are demonstrating that these remarkable achievements are possible by maintaining an open mind towards innovation and change.

#### A.1.2 INRA Nacional

BLTP invested considerable resources by working closely with Mr. Vadillo in the re-engineering of INRA. Regrettably, Mr. Torrez has not expressed any interest in pursuing the previously crafted reorganization plan. It remains unclear, what impact Mr. Torrez will have during his tenure, which is expected to last until December or January.

There was, however, a positive turn regarding BLTP's results. INRA staff, whose salaries had been withheld because of a failure in meeting their established targets, ultimately followed through with their commitment and not only reached the missed targets but also achieved the new targets established in a new FARA. This notable accomplishment points to the effectiveness of the FARA mechanism. Once the BLTP communicated to INRA staff that salary payments would not be processed until the stipulated targets were met, the staff promptly reacted by delivering the agreed upon results. This represents an important victory for the BLTP and serves to show that accepting accountability on the par of INRA employees is a big step forward.

It should be noted that mid level staff member of INRA, who from the start have maintained INRA and not the contractor should manage the money remain hostile and may try to persuade the new Director to confront BLTP on issue of control and administration of the money.

#### A.2 Plan I and Plan II

As previously mentioned, the FARA contains specific goals for each month of the quarter. Table 2 shows the target and accomplishments for the quarter.

Table 2 Plans I and IIa progress status for the quarter (April - June, 2005)

Activity	Indicator	Responsible Party	Target	Achievement	Percentage
Field Work	N° of hectares with field work completed	Villa Tunari Office	9,419	12,180	129,3%
Technical and Legal Evaluation	N° of hectares with legal/technical evaluation	INRA Cochabamba	9,960	9,922	99,6%
Public Presentation of Results	N° of polygons with a Resolution fixing the price	Agrarian Superintendent	2	3	150,0%
	N° of plots with Public Exposition of Results and Conclusions	Villa Tunari INRA Office	337	306	90,8%
Final Resolution	N° of polygons with Final Resolution	INRA Cochabamba	17	12	70,6%
Titling	N° of validated files sent to INRA National for titling	INRA Cochabamba	8	13	162,5%
Registered titles	N° of executive titles registered in DDRR	Derechos Reales Sacaba	563	756	134,3%

As the table shows, satisfactory progress was made in all indicators except one: the issuance of the final resolution in the titling phase. This is due to the fact that the majority of the titles still being processed contain errors or missing documentation. Alhtough INRA is working hard to fix the errors and or fill in the missing documentation, it is unclear whether the majority of these titles will be finalized in the time remaining.

#### A.3 Plan IIb and Plan IV

Plan IIb covers an area of over 12,487 hectares and contains 1,024 properties. This area was added to the BLTP's scope of work so that the target of 5,000 properties could be met. In order to meet the Plan IV targets it is necessary to proceed with the verification of ownership and titling of an additional 25,000 hectares.

Because of the geographic proximity of the areas under Plans IIb and IV, we chose to report the progress on both plans jointly in this section.

Table 3 Plan IIB and Plan IV progress status for the quarter (-April - June, 2005)

Activity	Indicador	Responsible Party	Target	Achievement	Percentage
Community Campaign	N° of hectares incorporadas al proceso de saneamiento	Villa Tunari Office	16,500	18,099	109,7%
Field Work	N° of hectares with field work completed	Villa Tunari Office	12,749	13,462	105,6%
Technical and Legal Evaluation	N° of hectares with legal/technical evaluation	INRA Cochabamba	13,287	13,982	105,2%
Public	N° of polygons with a resolution fixing a price	Agrarian Superintendent	14	17	121,4%
Presentation of Results	N° of plots with Public Presentation of Results and Conclusions	Villa Tunari Office	267	1,223	458,1%
Final Resolution	N° of polygons with Final Resolution	INRA Cochabamba	11	11	100,0%
Titling	N° of validated files sent to INRA National for titling	INRA Cochabamba	6	7	116,7%
Registered titles	N° of executive titles registered in DDRR	Derechos Reales Sacaba	177	139	78,5%

All targets were met or exceeded, except for the registration of titles in DDRR. Tiles were held up in the Presidents office when his staff decided to prioritize titles from Chuquisaca over titles from the Chapare for signature

# B. Strategic Objective 2: Develop and Strengthen Derechos Reales (DDRR's) Institutional Capacity

Titles are being registered as soon as they are issued. As of September 2005, 2,291 titles have been registered. DDRR (Derechos Reales) currently has the capacity to process large numbers of titles.

# C. Strategic Objective 3: Outreach Dissemination Program

The communication strategy was modified to adapt to the changes in the distribution of tasks among the donors and the fact that the BLTP is now working in new areas, areas that have traditionally been opposed to titling for political reasons. Due to high political sensitivities in the region, BLTP/INRA communications directed to communities and local organizations are mostly carried out community by community. The communications campaign is being implemented by a group of INRA technicians trained by BLTP. In addition, based on results, and to promote more interest in titling in general and in Plan IV in particular, INRA's outreach and communications unit started a radio campaign in early June to inform the public, on a weekly basis, what INRA is doing, where, and how much was achieved.

Between May and August of 2005, 13 radio programs with INRA news were broadcasted by the four radio stations of the tropics. Broadcast of further program of this kind is pending an evaluation of impact by INRA.

The four radio stations are used to notify communities and interested persons of dates and places where ownership verification activities are talking place and where and when titles will be delivered.

Other outreach and dissemination activities included the elaboration of new public dissemination material to educate the public on the INRA law and the procedures used to carry out the titling process, and the installation of a stand in two agricultural products fairs in Shinahota and villa Tunari.

Starting in October, INRA will publish adds in the newspapers of Cochabamba informing the public of the activities it is carrying out in the Chapare with USAID financing.

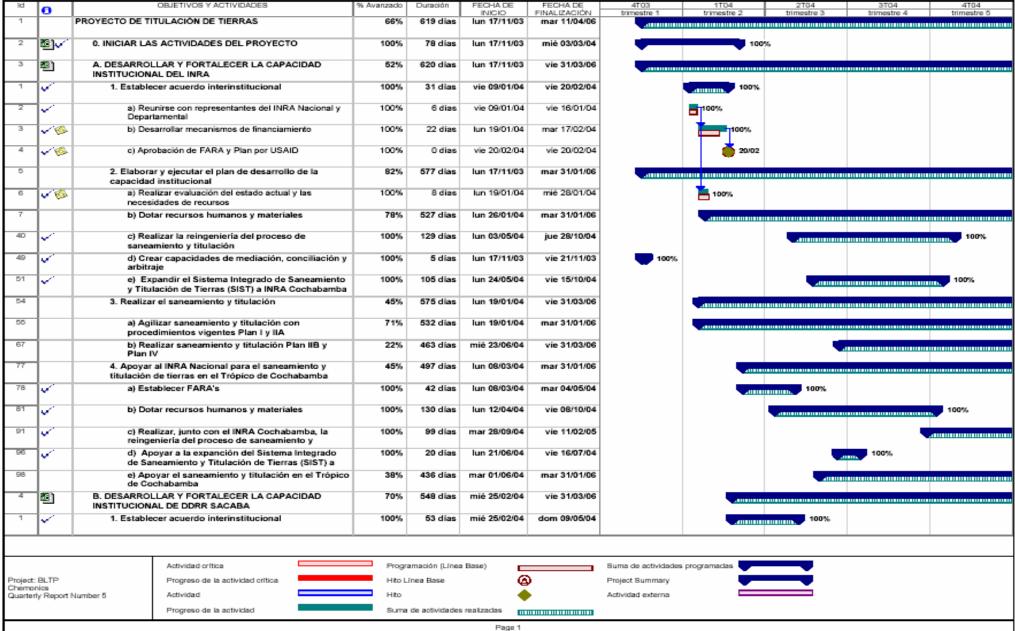
# D. Strategic Objective 4: Develop and Strengthen the Municipalities' Capacity

The contract was modified to reflect the fact that under the current legal and institutional framework, municipalities have neither interest nor incentive to set up a rural cadastre, simply because they can not collect taxes from the majority of the rural property owners. BLTP task is to carry out an assessment of the legal and institutional frameworks that govern rural cadastre.

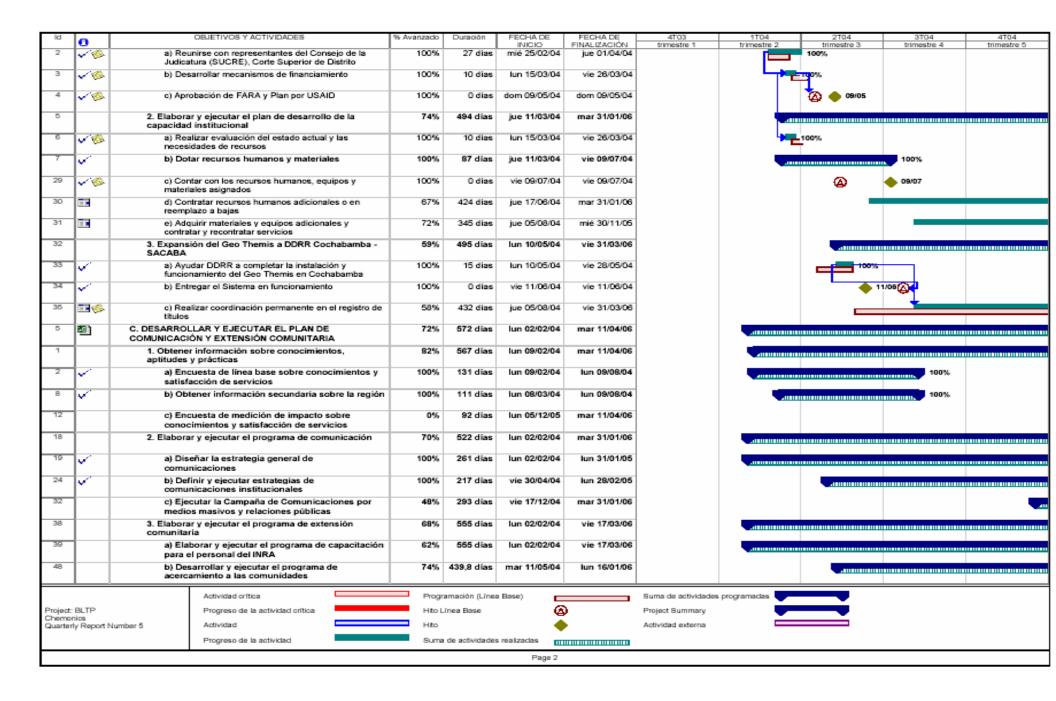
Four firms were invited to submit proposals to carry out the rural cadastre study. The selection of the winner will be made until October 15 and a contract signed hopefully before the end of the month. The cadastre study should be completed before December 15.

# **ANNEX A**

Work Plan Progress Monitor



#### 3rd QUARTER CY 2005 QUARTERLY REPORT



# ANNEX B Map of Project Coverage as of September 30th

# ESTADO ACTUAL DE SANEAMIENTO - INRA TROPICO DE COCHABAMBA

